

**STATED ORDER OF THE CHIEF MEDICAL OFFICER OF HEALTH UNDER
SECTION 32 of the *HEALTH PROTECTION ACT* 2004, c. 4, s. 1.**

December 18, 2020

Update Log:

December 18, 2020: Sections 5.2-5.5, 5.7-5.9, 5.16, 5.18, 6.1.1-6.2.2, 6.6, 11.1-11.1.1, 13.1, 14, 17.1-17.3 (amended) and Sections 11.1.2-11.1.4, 11.4, 15.1-15.2 and 16 (new)

December 17, 2020: Sections 5.4.3, 5.22, 5.23, 6.1 and 13.1 (amended)

December 14, 2020: Sections 5.21 and 13.1.3 (amended)

December 4, 2020: Sections 2.4.1-2.4.2, 2.10-2.11, 5.4.3, 5.7, 5.22, 5.23, 6.1 and 13.1 (amended)

November 27, 2020: Sections 5.4, 5.5, 5.22-5.22.5, 6.1, 6.2.3 (amended) and Sections 5.4.3, 5.23, 13.1-13.1.9 (new)

November 9, 2020: Sections 2.1 and 2.4 (amended)

November 5, 2020: Sections 2.4, 2.10-2.15, 4, 5.11 and 11.1-11.3 (amended)

October 16, 2020: Section 11.1 (amended); Sections 6.1 and 6.2.1 (typographical correction)

October 9, 2020: Sections 11.2 and 11.3 (amended); Sections 6.1 and 6.2.2 (typographical correction)

September 28, 2020: Sections 2.14 and 6.1 (amended); Section 6.2.2 (new)

September 25, 2020: Sections 2.4, 5.4 and 11 (amended); Sections 2.15, 5.4.1- 5.4.2, 5.5.3, 11.2-11.3 (new)

September 14, 2020: Sections 5.12, 5.20 (amended) and Section 2.13-2.14 (new)

September 3, 2020: Section 5.21 (new)

August 24, 2020: Sections 2.10-2.12 (typographical correction)

August 20, 2020: Sections 2.10 and 2.11 (new)

August 14, 2020: Section 5.18 (amended)

August 7, 2020: Section 2.5 (amended)

July 31, 2020: Sections 5.4 and 5.18(amended)

July 28, 2020: Section 5.18 (amended); Section 5.20 (new)

July 24: Sections 3, 5.4, 5.12-5.13, 6.1 and 11 (amended); Section 5.15-5.19 (new)

July 17: Sections 3, 6.1 and 6.2 (amended); Sections 2.9, 5.12-5.14 (new)

- TO: 1.) All persons residing in or present in the Province of Nova Scotia;**
- 2.) All not-for-profit and for-profit businesses and organizations operating or carrying on business in Nova Scotia;**
- 3.) Such other persons or entities as may be identified by the Chief Medical Officer of Health or otherwise as set out in this Order.**

ORDER made pursuant to Section 32 of the *Health Protection Act* (Nova Scotia)

AND WHEREAS Section 32 of the *Health Protection Act* states:

32 (1) Where a medical officer is of the opinion, upon reasonable and probable grounds, that:

- (a) a communicable disease exists or may exist or that there is an immediate risk of an outbreak of a communicable disease;
- (b) the communicable disease presents a risk to the public health; and
- (c) the requirements specified in the order are necessary in order to decrease or eliminate the risk to the public health presented by the communicable disease.

the medical officer may by written order require a person to take or to refrain from taking any action that is specified in the order in respect of a communicable disease.

WHEREAS COVID-19 has been identified as a communicable disease that presents a risk to public health as defined under s.4(b) of the *Health Protection Act*, and;

WHEREAS I am the Chief Medical Officer of Health for the Province of Nova Scotia and am of the opinion, upon reasonable and probable grounds, that

- (a) a communicable disease (COVID-19) exists; and that there is an immediate risk of an outbreak of the communicable disease;
- (b) the communicable disease presents a risk to the public health; and
- (c) the requirements specified in the order are necessary to decrease or eliminate the risk to the public health presented by the communicable disease, and;

WHEREAS as the Chief Medical Officer of Health, I have determined it necessary to issue this Order to the Class of Persons to decrease the risk to public health presented by COVID-19.

Please be advised that:

I, Dr. Robert Strang, Chief Medical Officer of Health, **order** the following:

**PART I
ISOLATION AND QUARANTINE REQUIREMENTS**

1. In this Order,

(a) “self-isolate” means the requirement of any person who has COVID-19 to remain separate from others in such places and under such conditions to prevent or limit the direct or indirect transmission of COVID-19; and

(b) “self-quarantine” means the requirement of any person who has been exposed or may have been exposed to COVID-19 during its period of communicability to restrict that person’s activities in order to prevent disease transmission during the incubation period for this disease.

2. Effective July 3, 2020, all persons residing in or present in the Province of Nova Scotia who:

2.1 have travelled outside the Atlantic Provinces or Canada, or reside in the same household of a person who has travelled outside the Atlantic Provinces or Canada; or

2.2 are identified as a close contact of a person who has or has been diagnosed with COVID-19; or

2.3 are identified as a person diagnosed with COVID-19; or

2.4 have been tested for COVID-19 due to the presence of symptoms or as directed by public health and are awaiting the results of their test,

must:

(a) self-quarantine or self-isolate, for:

(i) the period commencing on the day of entry into Nova Scotia, or

(ii) the first day of close contact, or first day of symptoms, testing, diagnosis, and continuing thereafter for 14 consecutive days or as directed by a Medical Officer of Health, or

(iii) the period commencing on the first day they reside with the person who travelled outside the Atlantic Provinces or Canada and continuing thereafter for 14 consecutive days or as directed by a Medical Officer of Health.

For greater certainty, this includes remaining in your residence or residence grounds and otherwise removing yourself from the presence of others in public while you may be infectious during the 14-day period, so that all precautions necessary to protect others are in place. Specifically, do not enter any buildings, public transportation, or other enclosed spaces (other than your residence) where other people are present.

(b) During the 14-day period, conduct yourself in such a manner as not to in any way expose any other person to infection or potential infection from COVID-19,

and follow all infection control instructions given to you on the Government of Nova Scotia's website, at: <https://novascotia.ca/coronavirus/>, or given to you by Telehealth 811 staff, public health staff or any other staff of a healthcare facility to which you may seek or receive treatment.

(c) After the 14-day period in section 2.4(a.) has lapsed, you may cease self isolation or self quarantine if you do not exhibit symptoms of COVID-19.

(d) All persons are encouraged to complete the online assessment tool should you exhibit symptoms of COVID-19.

Notwithstanding the foregoing, persons who receive a negative COVID-19 test result after being referred for testing by the online assessment tool due to the presence of COVID-like symptoms may cease self-quarantine on the date of receipt of the negative test result.

2.4.1 For the purpose of section 2.4.2, "essential travel" means travel into Nova Scotia or returning to Nova Scotia from outside the Atlantic Provinces or Canada that is necessary for:

(a) work carried out by a worker that does not meet the criteria to be classified as a rotational worker, or work that requires the worker to be present at the workplace;

(b) legal custody arrangements that require parents or children to travel for visitation;

(c) essential, specialized health care treatment that is not available in the Atlantic Provinces;

(d) participation in essential legal proceedings outside the Atlantic Provinces when virtual attendance is not possible; and

(e) students studying outside the Atlantic Provinces whose primary or family residence is in Nova Scotia,

but does not include work carried out by workers who are already exempt from the self-quarantine requirements set out in section 2.1, or travel by persons travelling under a compassionate exception granted under this Order.

2.4.2 Notwithstanding section 2.1, persons who reside in the same household of a person who has travelled into Nova Scotia or returning to Nova Scotia from outside the Atlantic Provinces or Canada for essential travel (the traveller) are not required to self-quarantine if the traveller, during their 14-day period of self-quarantine, meets all of the following criteria:

(a) stays at their place of residence;

- (b) has their own separate room in the home (e.g. separate bedroom, basement or attic);
- (c) sanitizes their hands before leaving the separate room;
- (d) wears a non-medical mask when outside of their separate room;
- (e) avoids being in the same space as other household members;
- (f) has their own bathroom or if sharing a bathroom then cleans high touch surfaces (e.g. doorknob, tap, toilet handle, sink, etc.) after each use;
- (g) has food and beverages prepared by others and accesses them in a non-contact manner;
- (h) does not share dishes, drinking glasses, cups, eating utensils, towels, bedding or other items with others in the home;
- (i) keeps their personal items (e.g. toothbrush, cups, cell phones, tablets, laptops, etc.) separate from those belonging to others; and
- (j) does not share food, drinks or cigarettes or any other items that are put in the mouth.

2.4.3 For greater clarity, a person who travels outside the Atlantic Provinces or Canada for travel that is not essential travel must self-quarantine in accordance with section 2.4(a)-(d).

2.4.4 For greater clarity, persons engaged in essential and non-essential travel must complete the Nova Scotia Safe Check-in form and daily digital check-ins, located at: <https://novascotia.ca/coronavirus/travel/#self-declaration>.

2.5 Notwithstanding section 2.1, persons who are well and showing no symptoms of COVID-19 may enter Nova Scotia for the purposes of facilitating child sharing between parents under an order or agreement providing for joint custody, and in such instances, both the persons facilitating custody and children showing no symptoms of COVID-19 are exempt from the requirement to self-quarantine or self isolate.

2.6 Notwithstanding section 2.1, individuals who are well and showing no symptoms of COVID-19 and are engaged in a legal proceeding in Nova Scotia, whether the accused, victim, witness or party in such proceeding, may enter Nova Scotia for participation in the legal proceeding if the person:

- (a) self-isolates/self-quarantines for the period they are in Nova Scotia other than when they are in court; and
- (b) complies with the physical distancing requirements of 2 metres (6 feet) while in Nova Scotia.

2.7 An employer or contractor of any Temporary Foreign Worker entitled to enter Nova Scotia pursuant to the Federal Order in Council 2020-0184, 2020-0185 and Interim Order No.3, must first, before the Temporary Foreign Worker enters Nova Scotia, satisfy me, as Chief Medical Officer of Health, that the employer or contractor has made adequate provision for compliance with:

- (a) the federal quarantine rules applicable to the Temporary Foreign Worker; and
- (b) the self-quarantine requirements set out in section 2.4 of this Order.

2.8 In addition, the employer or contractor and the Temporary Foreign Worker must, for the duration of the entire work period in Nova Scotia:

- (a) adhere to all applicable terms and conditions of this Order; and
- (b) comply with any direction issued by me, as Chief Medical Officer of Health, or a Medical Officer of Health with respect to the Temporary Foreign Worker and their employment in Nova Scotia.

2.9 Notwithstanding section 2.1, persons who are required to travel to Nova Scotia for essential health services and one accompanying support person are exempt from the requirement to self-isolate or self-quarantine.

2.10 For the purpose of section 2.11, “rotational worker” means a person who lives in Nova Scotia and travels to work in another province, territory or country on a regular schedule.

2.11 Notwithstanding section 2.1, rotational workers must adhere to the self-quarantine requirements established by the Chief Medical Officer of health, located at: <https://novascotia.ca/coronavirus/docs/COVID-19-Directive-on-Exceptions-for-Rotational-Workers.pdf>.

2.12 Notwithstanding section 2.1, specialized workers required to enter Nova Scotia from outside of Atlantic Canada to perform urgent work that cannot be done by individuals from within the Atlantic provinces must adhere to self-quarantine requirements established by the Chief Medical Officer of Health, located at: <https://novascotia.ca/coronavirus/docs/COVID-19-Directive-on-Exceptions-for-Specialized-Workers.pdf>.

3. Workers who are essential to the movement of people and goods, and who must enter Nova Scotia as part of their duty requirements, are exempt from the requirement to self-isolate or self-quarantine set out in section 2.1, particularly:

- (a) healthy workers in the trade and transportation sector who are employed in the movement of goods and people across the Nova Scotia border by land, air, or water, including truck drivers, crew, maintenance and operational workers on any plane or train;

(b) Canadian Military and Defence Team personnel, Coast Guard, RCMP, Canadian Border Services Agency, and Canadian Security Intelligence Service; and

(c) first responders, including police, fire and EHS paramedic workers.

4. Workers exempt under section 3 must practice physical distancing of two metres (six feet) to the best of their ability, follow all public health recommendations, closely self-monitor and must self-isolate or self-quarantine should they exhibit any COVID-19 symptoms as set out in the online assessment tool.

PART II PHYSICAL DISTANCING, GATHERING LIMITS, MASKS AND FACE COVERINGS

5.1 All persons present and residing in Nova Scotia must maintain physical distancing of two metres (six feet).

5.2 Subject to the specific exceptions set out in sections 5.4 and 5.5, all persons present and residing in Nova Scotia must not participate in any gatherings of persons greater than 10, whether indoors or outdoors.

5.3 Notwithstanding section 5.1 and section 5.2, effective 12:01a.m. December 21, 2020 to 11:59p.m. January 10, 2021:

(a) family members living in the same household:

(i) are not required to practice physical distancing; and

(ii) may gather together up to a maximum of 10 persons total in the home, including the number of immediate family members residing same the household,

(b) individuals may gather together in social groups of up to 10 persons per group without adhering to the physical distancing requirements of two metres (six feet).

5.4 Effective 12:01a.m. December 21, 2020 to 11:59p.m. January 10, 2021, persons may not engage in and businesses may not host any of the following events indoors or outdoors:

(a) social events;

(b) arts and culture events;

- (c) sports events;
- (d) special events; or
- (e) festivals,

but persons may engage in and businesses may host the following events indoors or outdoors:

- (f) faith gatherings;
- (g) weddings; or
- (h) funerals,

and all persons in attendance must practice physical distancing, except persons residing in the same household or social groups of up to 10 persons adhering to section 5.3(b).

5.4.1 Notwithstanding section 5.4, players, participants, and officials:

- (a) may engage in organized sport practice and training (recreational, amateur, and professional), and in organized arts and culture rehearsals in groups of 25 persons without practicing physical distancing,

but

- (b) are prohibited from engaging in any games, tournaments, or performances.

5.4.2 Notwithstanding section 5.4.1, participants engaged in singing and playing brass or wind instruments during a rehearsal must still adhere to the physical distancing requirements of section 5.1.

5.5 Notwithstanding sections 5.1 and 5.2, where any of the following activities are held by an existing business or organization legally operating in Nova Scotia:

- (a) faith gatherings;
- (b) weddings; or
- (c) funerals;

then:

5.5.1 the business or organization may host up to 50% of legal capacity of the indoor

establishment in which the activity is held, to an overall maximum of 100 persons; or

5.5.2 the business or organization may host up to a maximum of 150 persons if the event is outdoors, and all persons in attendance practice physical distancing, except persons residing in the same household or social groups of up to 10 persons adhering to section 5.3(b).

5.5.3 For greater clarity, the maximum number of persons and physical distancing requirements set out in sections 5.5.1 and 5.5.2 includes participants and officials.

5.5.4 Notwithstanding sections 5.4 and 5.5, no person, business or organization may host a wedding or funeral reception.

5.6 Any business or organization that hosts an activity authorized by section 5.5 is responsible for maintaining oversight of the gathering and for ensuring that all persons in attendance comply with the requirements of this Order.

5.7 For greater clarity, physical distancing and the person limit rule set out in sections 5.1 and 5.2 do not apply to the following organizations, activities, persons, or places:

(a) hospitals as defined in the *Hospitals Act* and a health authority as defined in the *Health Authorities Act*;

(b) profit, not-for-profit or government operated Department of Community Services funded organizations or representatives that are covered under the *Homes for Special Care Act* and the *Children and Family Services Act* including places of safety for children and youth, and customized placements for persons with disabilities;

(c) profit or not-for-profit Department of Health and Wellness funded long-term care facilities licensed under the *Homes for Special Care Act* or home care agencies funded under the *Homemaker Services Act*;

(d) persons providing care under the self-managed care program, supportive care program, caregiver benefit program funded by the province of Nova Scotia;

(e) persons providing support under the Independent Living Support, Supported Apartment and Supervised Apartment Programs funded by the Department of Community Services;

(f) homeless shelters receiving operational grants from the Department of Municipal Affairs and Housing, and those operated by religious and other voluntary organizations;

(g) unlicensed child-care facilities;

(h) a place designated or established under the authority of the *Correctional Services Act* or the *Youth Criminal Justice Act* (Canada) for the supervision or custody of offenders and includes community-based correctional services;

(i) any administrative tribunal, arbitration proceeding or court operating essential services in the Province under the authority of any provincial or federal enactment, including but not limited to, a justice centre or courthouse under the authority of the *Judicature Act* or a provincial court under the authority of the *Provincial Court Act* or the *Family Court Act*;

(ia) notwithstanding clause (i), the Labour Board must still comply with section 5.1 when conducting a vote under the *Trade Union Act*.

(j) Emergency Medical Care Incorporated;

(k) persons providing, servicing or repairing medical equipment, such as wheelchairs, red cross beds/equipment, home oxygen equipment;

(l) private not-for-profit community transportation providers;

(m) food production plants; and

(n) fishing vessels.

5.8 Physical distancing requirements and the person limit set out in sections 5.1 and 5.2 do not apply to the following municipal entities and their contractors:

(a) Police and Fire Services;

(b) Municipal Utilities such as water, wastewater and stormwater;

(c) Maintenance of utilities and municipal facilities;

(d) Transportation;

(e) Road maintenance/repair;

(f) Municipal ICT systems and services;

(g) Public Transit;

(h) Solid Waste, garbage and litter collection and disposal;

(i) Urban Forestry; and

(j) Municipal logistic, distribution, storage, inventory and repair services.

5.9 Physical distancing requirements and the person limit rule set out in sections 5.1 and 5.2 do not apply to the following provincial entities and their contractors:

- (a) Transportation and Infrastructure Renewal;
- (b) Road maintenance/repair; and
- (c) Government building construction and/or repair.

5.10 Effective May 1, 2020, religious services may be conducted in drive-up or parking lot settings provided persons adhere to the following conditions:

- (a) the service is conducted over speakers or by remote radio broadcast;
- (b) there is no contact between cars and no transfer of any things such as communion or collection baskets between cars;
- (c) participants remain in their respective vehicle while “attending” the service; and
- (d) participants practice physical distancing among vehicles, such that vehicles must be at least two metres (six feet) apart from each other.

5.11 Effective June 5, 2020, gatherings for sleep over camps are cancelled for the remainder of 2020.

5.12 Effective 12:01a.m. July 24, 2020, all persons must wear a mask that covers their nose and mouth as defined in section 5.15 while travelling on vehicles providing transportation to the public, including:

- (a) any municipally operated public transit, including municipally operated buses and ferries;
- (b) any public passenger vehicle licensed under the *Motor Carrier Act*, including community transit vehicles, commercial vehicles (shuttle vans), and vehicles providing charters and/or tours;
- (c) any school buses licensed under the *Motor Carrier Act* and any vehicles of any capacity operated by private schools recognized by the Minister of Education and Early Childhood Development;
- (d) commuter vehicles and courtesy vehicles as defined under the *Motor Carrier Act*, vans, mini-buses, or buses of any passenger capacity providing services to the public;
- (e) any vehicles serving residents and staff of facilities listed in section 6.1.1 and

(f) taxicabs regulated by municipalities under the authority of the *Motor Vehicle Act*.

5.13 Notwithstanding section 5.12, the following persons are exempt from the requirement to wear a mask:

- (a) a person is less than 2 years of age or age 2 to 4 years and their caregiver cannot persuade them to wear a mask;
- (b) a person for whom the wearing of a mask is not possible because of the person's medical condition; and
- (c) a person who is reasonably accommodated by not wearing a mask in accordance with the Nova Scotia Human Rights Act.

5.14 A person may remove the mask momentarily for identification purposes when boarding any public transit set out in section 5.12.

5.15 For the purpose of sections 5.12- 5.14 and 5.17-5.19, a “mask” means a commercial medical or non-medical mask or a home-made mask made as per the PHAC instructions located at: <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/prevention-risks/sew-no-sew-instructions-non-medical-masks-face-coverings.html>, that covers the nose and mouth.

5.16 For the purpose of section 5.17, a “public place” means the part of the following places accessible to the public, insofar as it is enclosed:

- (a) a retail business, a shopping centre, or a building or room of a business where personal care services are provided;
- (b) a restaurant or a liquor licensed establishment, including the kitchen and preparatory space of a restaurant or a liquor licensed establishment;
- (c) a place of worship or faith gathering;
- (d) a place where activities or services of a cultural or entertainment nature are offered;
- (e) a place where sports are played or recreational activities are carried on;
- (f) a rental hall or other place used to hold events, including conventions and conferences, or to hold receptions;
- (g) a place where municipal or provincial government services are available to the public;

(h) a common area, including an elevator, of a tourist accommodation establishment;

(i) a lobby, reception area or elevator in an office building;

(j) a common area or public space on a university or college campus;

(k) a train or bus station, a ferry terminal, or an airport; and

(m) common areas of a multi-residential building.

5.17 Effective 12:01a.m. July 31, 2020, all persons must wear a mask that covers their nose and mouth while present in a public place.

5.18 Notwithstanding section 5.17, a person is exempt from the requirement to wear a mask in a public place if the person:

(a) is less than 2 years of age or age 2 to 4 years and their caregiver cannot persuade them to wear a mask;

(b) for whom the wearing of a mask is not possible because of the person's medical condition;

(c) is reasonably accommodated by not wearing a mask in accordance with the Nova Scotia Human Rights Act;

(d) is in the public place receiving care or being provided a service or while participating in a physical or other activity requiring the mask be removed, in which case the person may remove the mask for the duration of the care, service or activity;

(e) removes the mask momentarily for identification or ceremonial purposes;

(f) is in a courtroom, jury room or secured area in a courthouse, or room where a proceeding or meeting of an administrative tribunal established by legislation is being held;

(g) is consuming food or a beverage in a restaurant, in a food court at a shopping centre or food store, in a liquor licensed establishment, movie theatre or in any other location where food or beverages are being served used;

(h) is a performer or officiant in the course of performing activities requiring vocalization such as talking or singing at an event or activity as described in section 5.4; or

(i) is within a room in a public place referred to in section 5.16(f) attending a business meeting with a maximum of 25 persons in attendance.

5.19 For greater certainty, the requirement to wear a mask, as set in section 5.17, is the minimum standard that persons and businesses must adhere to, and where the business's plan approved in accordance with section 13 of this Order imposes a greater standard, then that standard applies.

5.20 Notwithstanding section 5.1, any person, volunteer or employee who provides emergency first response are not required to practice physical distancing while doing so, including during an emergency, when carrying out duties or when necessary during training.

5.21.1 Notwithstanding other directions elsewhere in this Order, effective December 19, 2020 to January 8, 2021, all public schools and pre-primary programs under the jurisdiction of a regional centre for education or the Conseil Scolaire Acadien Provincial will be closed to students and pre-primary children, and upon reopening to students and pre-primary children on January 11, 2021, shall comply with Nova Scotia's Back to School Plan dated August 14, 2020, as amended from time to time and located at: <https://novascotia.ca/coronavirus/docs/back-to-school-plan.pdf>.

5.21.2 Notwithstanding section 5.21.1, effective January 4, 2021 all public schools and pre-primary programs may be open to administrators, teachers, staff at the direction of the employer.

PART III LONG TERM CARE FACILITIES AND OTHER VULNERABLE POPULATIONS

6.1.1 Notwithstanding section 5.7 (b) and (c) and subject to section 6.1.2, all for-profit or not-for-profit Department of Health and Wellness funded long-term care facilities licensed under the *Homes for Special Care Act* and all Adult Residential Centers and Regional Rehabilitation Centers funded and licensed by the Department of Community Services under the *Homes for Special Care Act* must comply with Schedule "A", "COVID-19 Management Long term Care Facilities Directive Under the Authority of the Chief Medical Officer of Health", dated December 21, 2020, as amended from time to time and located at: <https://novascotia.ca/dhw/ccs/documents/COVID-19-Management-in-Long-Term-Care-Facilities-Directive.pdf>;

6.1.2 Effective 12:01a.m. December 21, 2020 to 11:59p.m. January 10, 2021:

(a) all long term care facilities licensed by the Department of Health and Wellness and all Adult Residential Centers and Regional Rehabilitation Centers licensed by the Department of Community Services under the *Homes for Special*

Care Act are open to visitors, two designated caregivers and volunteers, in accordance with the terms and conditions set out in Schedule “A”, “COVID-19 Management Long term Care Facilities Directive Under the Authority of the Chief Medical Officer of Health”, dated December 21, 2020, as amended from time to time and located at: <https://novascotia.ca/dhw/ccs/documents/COVID-19-Management-in-Long-Term-Care-Facilities-Directive.pdf>; and

(b) all homes licensed by the Minister of Community Services for persons with disabilities under the *Homes for Special Care Act* not referred to in section 6.1.2(a) are open to visitors in accordance with the terms and conditions set out in the “Covid 19 – Management in DSP Licensed Homes – Guidelines” dated December 8, 2020, and as amended from time to time; and located at: <https://novascotia.ca/coms/disabilities/index.html>.

(c) all long term care facilities licenced by the Department of Health and Wellness and all Adult Residential Centers and Regional Rehabilitation Centers licensed by the Department of Community Services under the *Homes for Special Care Act*, and all residents of such facilities must comply with the process for isolating Covid-19 positive long term care residents set out in Schedule “A”, “COVID-19 Management Long Term Care Facilities Directive Under the Authority of the Chief Medical Officer of Health”, dated December 21, 2020, as amended from time to time and located at: : <https://novascotia.ca/dhw/ccs/documents/COVID-19-Management-in-Long-Term-Care-Facilities-Directive.pdf>.

6.2.1 Effective June 26, 2020 all residents in homes licensed by the Minister of Community Services under the *Homes for Special Care Act* other than residents in Adult Residential Centers and Regional Rehabilitation Centers are permitted to have community access in accordance with the terms and conditions set out in the “Covid 19 – Management in DSP Licensed Homes – Guidelines” dated December 8,, and as amended from time to time and located at: <https://novascotia.ca/coms/disabilities/index.html>.

6.2.2 Effective 12:01a.m. December 21, 2020 to 11:59p.m. January 10, 2021, all residents in homes licensed by the Minister of Health and Wellness and all Adult Residential Centers and Regional Rehabilitation Centers licensed by the Department of Community Services under the *Homes for Special Care Act* are not permitted to have community access.

6.2.3 Notwithstanding Section 6.2.2, all residents in homes licensed by the Minister of Health and Wellness and all residents in Adult Residential Centres and Regional Rehabilitation Centers licensed by the Minister of Community Services may participate in bus trips or drives by a designated caregiver, but such outings must not include

6..2.3.1 other passengers in the case of drives by a designated caregiver; or

6.2.3.2 stops or drive throughs.

6.3 For greater clarity, nothing in this Order prevents the:

- (a) discharge of a COVID-19 patient from a hospital to a long-term care or residential care facility;
- (b) transfer of a COVID-19 patient from community to a long-term care or residential care facility; or
- (c) return of a COVID-19 patient who has left a long-term care or residential care facility for healthcare services back to that facility after receiving treatment at a hospital.

6.4 Effective June 15, 2020, all day care facilities and family day care homes regulated under the *Day Care Act* centers:

- (a) may open;
- (b) are exempt from the physical distancing requirements set out in section 5.1; but
- (c) must adhere to the COVID-19 Guidance for Child Care Settings, dated June 5, 2020.

6.5 For the purpose of section 6.7, “Adult Day Program” means a planned program of activities in a professional care setting designed for older adults who require supervised care during the day, or those who are isolated and lonely. Adult day care centers enable seniors to socialize and enjoy planned activities in a group setting, while still receiving needed health services. At the same time, they offer family caregivers respite from caregiving duties while knowing that their loved one is in a safe place.

6.6 Effective 12:01a.m. December 21, 2020 to 11:59p.m. January 10, 2021, all senior’s Adult Day Programs are closed, except for provision of respite care.

PART IV BUSINESSES, ORGANIZATIONS AND PROFESSIONS

7. The *Occupational Health and Safety Act*, 1996, c.7, s.1, is hereby incorporated by reference and must be followed by all employers, contractors, constructors, suppliers, owners and employees and each shall take every precaution that is reasonable in the circumstances to ensure the health and safety of all persons at or near a workplace.

8. Subject only to specific closures or limitations directed elsewhere in this Order, all not-for-profit and for-profit businesses and organizations operating or carrying on business in Nova Scotia may continue to operate but must implement physical distancing of two metres (six feet) within all workplaces, except where otherwise provided in this Order.

9. Any not-for-profit or for-profit business or organization carrying on business in Nova Scotia that cannot maintain the physical distancing requirements set out in section 5.1 of this Order must limit the number of customers or clients on its premises to no more than 10 persons at a time.

10. For greater clarity, the person limit rule referred to in section 5.2 does not apply to:

(a) businesses and organizations who can regularly maintain physical distancing requirements, including without limitation, grocery stores, pharmacies, gas stations, convenience stores, construction sites, financial institutions, agri-food and fish plants, and registered farms defined by the *Farm Registration Act*; and

(b) Canadian Blood Services blood collection clinics.

11.1 Subject to section 13, effective 12:01a.m. December 21, 2020 to 11:59p.m. January 10, 2021:

(a) all restaurants may offer in-person dining service to a maximum of full legal capacity of the restaurant provided the operator:

(i) maintains a minimum physical distance of 2 metres (6 feet) or a physical barrier between tables, booths and single seats;

(ii) no group of patrons shall have more than 10 persons at a table;

(iii) ensures patrons remain seated at their table, except while waiting to be seated, going to the bathroom, and getting ready to leave;

(iv) ceases in-person dining service to customers effective 10:00p.m.;

(v) closes by 11:00p.m.; and

(vi) ensure staff (servers and kitchen) wear masks while carrying out their work duties.

(b) all liquor licensed establishments, including liquor manufacturers (as defined in the *Liquor Control Act*) may operate at full licenced capacity provided the licensee:

(i) ensures no group of patrons have more than 10 persons per table;

(ii) maintains a minimum physical distance of 2 metres (6 feet) or a physical barrier between tables, booths and single seats;

(iii) provides food and alcohol consumption only for in-seat service;

(iv) ensures food (excluding buffets) and alcohol is delivered to the table by staff;

(v) ensures food and alcohol remains at the table;

(vi) ensures patrons remain seated at their table, except while waiting to be seated, going to the bathroom, participating in a game/activity being held in the establishment and getting ready to leave;

(vii) ensures patrons comply with the physical distancing requirements set out in section 5.1;

(viii) ceases in-person dining service to customers effective 10:00p.m.;

(ix) closes by 11:00p.m.; and

(x) ensure staff (servers and kitchen) wear masks while carrying out their work duties.

(c) all personal service and fitness establishments such as hair salons, barber shops, spas, nail salons, body art establishments and gyms may operate and must conduct their business operations in accordance with the physical distancing requirements and person limit rule set out in sections 5.1 and 5.2.

11.1.1 Effective November 23, 2020, all restaurants offering full in-person dining service and liquor licensed establishments must collect and maintain records of each patron contact information that includes the following minimum data:

(a) name(s);

(b) contact telephone number;

(c) date; and

(d) time

the patron was at the restaurant and liquor licensed establishment.

11.1.2 Restaurants and liquor licensed establishments must retain information collected under section 11.1.1 for a period of 30 calendar days and must destroy it on the following day immediately thereafter.

11.1.3 Restaurants and liquor licensed establishments must provide the information collected under section 11.1.1 to the Chief Medical Officer of Health or his delegate in electronic form.

11.1.4 Restaurants and liquor licensed establishments must only use the information collected under section 11.1.1 for the purpose of provision to the Chief Medical Officer of Health in compliance with this Order and may not use it for any other purpose.

11.2 Notwithstanding clause 11.1, liquor licensed establishment patrons may play darts, pool or bowling, and in doing so, must adhere to the physical distancing requirements of section 5.1.

11.3 Owner/operators of liquor licensed establishments may hold dart, pool, or bowling regular league games and tournaments, but in doing so, must adhere to requirements established by the Chief Medical Officer of Health.

11.4 Notwithstanding section 11.1, restaurants and liquor licensed establishments may offer take-out, delivery, and drive through service to patrons after 11:00p.m.

12. Subject to section 13, effective June 5, 2020:

(a) all self-regulated health professions, may provide in-person services or virtual care services if they:

(i) are authorized to provide this care within their scope of practice; and

(ii) have adopted a compliance plan in accordance with the directions established by their governing college and approved by the Chief Medical Officer of Health;

(b) all unregulated health care providers engaged in private practice may provide in-person or virtual care services within their scope of practice;

(c) all veterinarians, including veterinary surgeons and veterinary physicians engaged in for-profit and not-for-profit practice may provide in-person care to animals as determined by the Nova Scotia Veterinary Medicine Association,

but must comply with the physical distancing and person limit rule as set out in sections 5.1 and 5.2.

13. Effective June 5, 2020:

(a) All not for-profit, for-profit businesses, organizations and professions named in Part IV of this Order shall, as a requirement of their ongoing operations, develop and comply with a Workplace COVID-19 Prevention Plan, as amended from time to time.

(b) In addition to the physical distancing requirements and person limit rule set out in sections 5.1 and 5.2, the Workplace COVID-19 Prevention Plan required by subsection (a) shall address the following:

- (i) how to work and interact with customers;
- (ii) physical distancing in the workplace;
- (iii) cleaning;
- (iv) equipment;
- (v) preparing employees to return to work;
- (vi) preparing for customers or clients; and
- (vii) monitoring and communicating of plan,

and may be substantially similar to those proposals listed in Schedule “B”, located at: <https://novascotia.ca/coronavirus/docs/Schedule-B-HPA-Order.pdf> for similar businesses or health professionals and must be made available for review by the Chief Medical Officer of Health; and

(c) All businesses or regulated health professionals that are a member of an association listed in Schedule “B” must adopt as their Workplace COVID-19 Prevention Plan the proposal submitted by their association and must be made available for review by the Chief Medical Officer of Health.

13.1 Notwithstanding sections 9 to 11.3 of this Order, effective 12:01a.m. November 26, 2020 up to 11:59p.m. January 10, 2021, businesses operating in the geographic regions of:

- (a) Halifax Peninsula – Chebucto;
- (b) Bedford-Sackville; and
- (c) Dartmouth Southeastern,

collectively “the geographic region”, as set out in the map locate at: <https://novascotia.ca/coronavirus/docs/Halifax-County-Map.pdf> must adhere to the following:

13.1.1 All restaurants and liquor licensed establishments are

- (a) restricted to providing food and alcohol take-out and delivery service only; and
- (b) prohibited from offering in-person dining service.

13.1.2 Wineries, distilleries and breweries are prohibited from offering in-person tastings, samplings or in-person dining but may continue to sell their product from their storefront, for delivery or curbside pickup.

14. Video Lottery Terminals and Casinos located in the geographic regions set out in section 13.1 may not operate.

15.1 Effective 12:01a.m. December 21, 2020 to 11:59p.m. January 10, 2021, all not-for-profit and for-profit fitness, recreational and leisure facilities may:

- (a) open; and

- (b) offer outdoor fitness classes at full capacity, while ensuring three metres (nine feet) physical distance between participants during high intensity activities.

15.2 Notwithstanding section 15.1, all not-for-profit and for-profit fitness facilities such as gyms and yoga studios may only operate at 50% of capacity, while ensuring three metres (nine feet) distance between participants during high intensity activities.

16. Effective 12:01a.m. December 21, 2020, the Art Gallery of Nova Scotia, all museums and public libraries may open and operate at full capacity, while adhering to the physical distancing and other public health requirements set out in this Order.

17.1 For the purpose of sections 17.2. and 17.3, “retail business” means a business operating on an ongoing basis at a fixed location primarily selling goods or products for use or consumption by individual purchasers.

17.2. A retail business that engages in the retail sale, or rental, of items to the public shall comply with the following conditions:

- (a) the number of persons occupying any retail space that is open to the public in the business does not exceed 25 per cent of the allowable occupancy or 160 square feet per person of the particular retail space;

- (b) in accordance with section 5.1, members of the public must be able to maintain a physical distance of at least two metres (six feet) from every other person in the place of business, except those persons residing in the same household;

- (c) no patrons may be permitted to line up inside or line up or congregate outside of the establishment unless they are,

- (i) maintaining a physical distance of at least two metres (six feet) from other persons inside or outside the establishment, and

- (ii) wearing a mask or face covering in a manner that covers their nose and mouth, unless they are entitled to any of the exceptions set out in section 5.18;

and

(d) the person responsible for the place of business must ensure that music is not played at the place of business at a decibel level that exceeds the level at which normal conversation is possible, and in any event no greater than 50 db.

17.3 Shopping malls shall comply with the following conditions:

(a) in accordance with section 5.1, members of the public must be able to maintain a physical distance of at least two metres (six feet) from every other person in the shopping mall, except those persons residing in the same household;

(b) no patrons may be permitted to line up inside or line up or congregate outside of the shopping mall unless they are,

(i) maintaining a physical distance of at least two metres (six feet) from other groups of persons inside or outside the shopping mall, and

(ii) wearing a mask or face covering in a manner that covers their mouth, nose and chin, unless they are entitled to any of the exceptions set out in section 5.18;

(c) no line up outside any one retail space located inside the shopping mall shall exceed 10 persons;

(d) the person responsible for the shopping mall must ensure that:

(i) music is not played at the place of business at a decibel level that exceeds the level at which normal conversation is possible, and in any event no greater than 50 db;

(ii) patrons are not permitted to loiter in any area of the shopping mall; and

(iii) directional markings are provided to manage the flow of pedestrians within the mall,

(e) the non-retail public areas in the mall shall be closed, other than for traffic flow/store access and washroom access; and

(f) notwithstanding clause 13.1.9(e), food courts may open but shall adhere to the following:

(i) a minimum of two metres (six feet) is maintained between patrons seated at food court tables and between other patrons in the food court; and

(ii) each restaurant may offer takeout food service.

PART V EXCEPTIONS

18. Under exceptional circumstances and under the authority granted to me as the Chief Medical Officer of Health under Part I of the *Health Protection Act*, I may exercise discretion to grant an exception to any term and condition of this Order.

PART VI PENALTIES

19. Any direction provided by a medical officer of health to a person, business, organization or other entity pertaining to COVID-19 and the terms and conditions of this Order must be followed.

19. Failure to comply with this health protection order may be considered a breach of this Order issued under the *Health Protection Act* and may result in penalties under the *Act*.

This Order remains in effect until notice is provided by myself, as Chief Medical Officer of Health, under the authority granted under Part I of the *Health Protection Act* and will be updated from time to time.

Signed:

Dr. Robert Strang
Chief Medical Officer of Health
Nova Scotia Department of Health and Wellness

cc The Honourable Stephen McNeil, Premier of Nova Scotia
 The Honourable Leo Glavine, Minister of Health and Wellness
 Laura Lee Langley, Deputy to the Premier and Clerk of Executive Council
 Dr. Kevin Orrell, Deputy Minister of Health and Wellness
 Dr. Gaynor Watson-Creed, Deputy Chief Medical Officer of Health, Dept. of Health and Wellness
 Tina M. Hall, Legal Counsel, Nova Scotia Dept. of Justice